Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR :—"May I enquire of the hon. the Chief Minister, whether the Government did not advise the District Board, Coimbatore, to advance money to the Erode Municipality to undertake the scheme?"

The hon. Diwan Bahadur B. MUNISWAMI NAYUDU :—"Notice, Sir."

Forests

Concessions granted to ryots in reserved forests, South Kanara.

* 165 Q.—Mr. A. B. SHETTY : Will the hon. the Law Member be pleased to state—

(*a*) whether the Government have decided to continue the concessions granted to ryots in reserved forests in South Kanara, and if so, for how long a period; and

(*b*) why the concessions are not made permanent instead of being extended from time to time?

A.—(*a*) & (*b*) The Government have decided to continue the concessions so long as they are not abused.

Jails

Treatment given to Mr. K. Neelakantan Nambudiripad.

* 166 Q.—Mr. V. P. NARAYANAN NAMBIYAR : Will the hon. the Law Member be pleased to state—

(*a*) what class of political prisoner is Karur Neelakantan Nambudiripad, now undergoing imprisonment in the Madras Penitentiary;

(*b*) the assessment which the illom of the said Neelakantan Nambudiripad pays in British Malabar; and

(*c*) whether there were any special reasons for placing him in the present class?

A.—(*a*), (*b*) & (*c*) The Government have no information; but have called for it.

Civil disobedience prisoners sentenced under the Borstal Act.

* 167 Q.—Mr. K. R. VENKATARAMA AYYAR : Will the hon. the Law Member be pleased to state— 11-30 a.m.

(*a*) whether the Government have sought or obtained advice from its Law officers about the applicability of the Borstal Act to young persons convicted of political offences in connexion with the Indian National Congress movement or the satyagraha or civil disobedience movement, and if so, what it is;

(*b*) whether the Government have issued any and what instructions to the Magistrates and others concerned to give effect to the advice received from its Law officers;

(*c*) whether the Government will be pleased to lay on the table of the House a list or statement of the cases of the class referred to in (*a*) in which the criminal courts of the Province have so far applied the Borstal Act,

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specifying in each case the period of imprisonment awardable apart from the Borstal Act and the period of detention in the borstal school ordered instead ; and

(*d*) whether the Government contemplate taking any, and if so, what action by way of suspending, remitting or altering the sentences passed under the Borstal Act in the cases referred to in (*a*) and (*c*) ?

A.—(*a*) & (*b*) In connexion with the order of detention in a borstal school passed on three adolescent offenders in the Nellore district who were connected with the Civil Disobedience movement, the Government obtained the opinion of the Advocate-General as to the correct interpretation that should be placed on section 8 of the Madras Borstal Schools Act. The Advocate-General has given it as his opinion that the foundation of the jurisdiction of the Court to pass a sentence of detention in a borstal school in lieu of a sentence of imprisonment is that the Court must be satisfied that the adolescent offender is a person of criminal habits or tendencies or is associating with persons of bad character. The Advocate-General's opinion was communicated to all the officers concerned, including District Magistrates and Sessions Judges on 29th November 1930.

(*c*) No.

(*d*) The question is under consideration.

Mr. K. R. VENKATARAMA AYYAR :—"May I know with reference to the answer given to clause (*c*), whether the Government have not thought it advisable that for their own guidance they must have a list of cases referred to in clause (*a*) ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"The District Magistrates have been asked to deal with these cases and have been asked to furnish Government with all the information available and when that information reaches the Government they will place on the table a list of such cases as the hon. Member wants."

Mr. K. R. VENKATARAMA AYYAR :—"Does not the hon. Member realize that as such sentences in the cases as would be affected by the Advocate-General's opinion are illegal, and it is now more than 3½ months since the opinion was received, the Government have been cogitating too long over the matter ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Government have asked the District Magistrates to consider each case on its own merits and they must have time to examine them."

Application of the Borstal Act to satyagrahi prisoners.

* 168 Q.—Mr. SAMI VENKATACHALAM CHETTI : Will the hon. the Law Member be pleased to state—

(*a*) when the opinion of the Advocate-General that the Borstal Act cannot be applied to satyagrahi prisoners was received ;

(*b*) whether the opinion has been circulated to Magistrates, and if so, when ; and

(*c*) in how many cases the Borstal Act was applied to satyagrahi prisoners during the interval ?